

Direction: CITY.0872.DSS

Chairperson Costa called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Wednesday, April 10, 2013, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

Roll Call: Andersen, Costa, Crowley, Erickson, Hatfield.....Present
Brown, Cownie.....Absent

Item 1 - Consent Agenda

Item 1a - Minutes of the meeting of March 27, 2013

Chairperson Costa asked for any comments or modifications to the March 27, 2013 minutes.

Moved by Commissioner Crowley, seconded by Commissioner Andersen, the Plan and Zoning Commission approve the minutes of the meeting of March 27, 2013.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield.....Yes
Brown, Cownie.....Absent
Motion carried.

Item 2– Public Hearings

Item 2a – Comprehensive Plan Amendment/Rezoning Request – Heritage Hills – F & S Associates – NE corner of 88th Street and future E.P. True Parkway – 9.72 acres – Amend the Comprehensive Plan Land Use and Zoning designation from Neighborhood Commercial (NC) to Residential High Density (RH-18) – CPA-2013-002/ZC-2013-002

Chairperson Costa opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published on March 29, 2013, in the Des Moines Register.

Chairperson Costa then asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Erickson, seconded by Commissioner Andersen, the Plan and Zoning Commission accept and make a part of the record all testimony and all other documents received at this public hearing.

Craig King, CBRE Hubbell Commercial, 6900 Westown Parkway, West Des Moines, representing the applicant, requested approval for both a Comprehensive Plan Land Use amendment, as well as a rezoning from Neighborhood Commercial (NC) to High Density Residential (HD and RH-18). Mr. King stated that many scenarios have been investigated to identify the most efficient way to develop the property. It was concluded that this location had the greatest amount of movement and interest as multi-family residential, and that it made sense for development if the two parcels were combined into one larger multi-family parcel.

Chairperson Costa inquired if the land directly to the north had the same owner. Mr. King replied that this was correct, and that the property had already been zoned high density. He also stated that the objective for the property was to obtain 18 units per acre as this would make it a more attractive parcel for a management company to operate.

Chairperson Costa inquired if the City had current plans for the widening of 88th Street. Development Planning and Inspection Manager Shires provided that as the adjoining properties and those properties that front 88th Street are developed, the developers of those properties would be responsible for paving two to three lanes of 88th Street. He expanded that specifically as the F&S property develops, EP True Parkway would be extended to 88th Street, and that 88th Street north of EP True Parkway would be paved probably in phases.

Planner Twedt pointed out the areas where Whisper Ridge had concrete paving up to a certain point and then the section with an asphalt overlay. She commented on when intervening sections of gravel would become concrete with development.

Chairperson Costa asked if anyone from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

Moved by Commissioner Crowley, seconded by Commissioner Hatfield, the Plan and Zoning Commission adopt a resolution recommending the City Council approve a Comprehensive Plan land Use map amendment for approximately 9.72 acres for High Density Residential (HD); and to adopt a resolution recommending the City Council approve the rezoning request to designate High Density (RH-18) zoning, subject to the applicant meeting all City Code requirements.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield.....Yes
Brown, Cownie.....Absent
Motion carried.

Mr. Shires commented that this item would now go before the City Council for a public hearing at their Monday, April 15, 2013 meeting in this same room.

Item 3 – Old Business

There were no Old Business items.

Item 4 – New Business

Item 4a – Urban Renewal Plan – Vista Drive Urban Renewal Plan – Parcel AA, Part of Lot 6uture E.P. True Parkway – 9.72 acres – Amend the Comprehensive Plan Land Use and Zoning designation from Neighborhood Commercial (NC) to Residential High Density (RH-18) – CPA-2013-002/ZC-2013-002

Clyde Evans, Community and Economic Development Director, stated that in the development of urban renewal plans, it was the roll of the Commission per Iowa Code to determine if the project was consistent with the Comprehensive Plan. He expressed that staff feels that the proposed Urban Renewal Plan for Vista Drive was consistent with the Comprehensive Plan.

Commissioner Erickson noted that the materials provided for other urban renewal projects throughout the City were of a different scale. Mr. Evans stated that it had to do with a specific economic development prospect, and it was a way for the City to utilize potential funding that could provide an incentive to a particular economic development prospect.

Chairperson Costa noted that this urban renewal plan seemed unusually small. Mr. Evans responded that a larger piece of property could have been included, but seemed superfluous given the taxing nature of the economic development prospect, and that only the one piece would have any significant increase in assessed future valuation.

Chairperson Costa asked if anyone from the audience would like to speak to this item; seeing none, asked for continued discussion or a motion.

Moved by Commissioner Erickson, seconded by Commissioner Andersen, the Plan and Zoning Commission adopt a resolution finding that the Vista Drive Urban Renewal Plan amendment is consistent with the adopted Comprehensive Plan and recommend its approval to the City Council, subject to any applicable State Codes.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield.....Yes
Brown, Cownie.....Absent
Motion carried.

Item 4b – Minor Modification – Bella Centro – Bella Centro Condominium Association – 6255 Beechtree Drive – 10.09 acres – approval of modifications to storm water detention facilities – MM-2012-033/MM-001041-2012

Jason Miller, MSA Professional Services, 1555 SE Delaware Avenue, Ankeny, representing the applicant, requested approval for modifications to the existing storm-water detention facility located within the Bella Centro development. Mr. Miller stated that he was the engineer for this project. He continued that there was a mediation settlement in 2011 that resolved the storm-water issues, and that it was agreed to bring the Bella Centro detention pond up to the design standard of the time that the development was constructed.

Commissioner Erickson asked that Mr. Miller elaborate on the nature of the storm-water issues. Mr. Miller stated that the existing storm-water detention basin has an outlet structure which has not been the best solution for the area, as there have been operational issues that have caused flooding damage to the development down-stream. Based on complaints received, City staff contacted Mr. Miller to identify a solution to correct the storm-water capacity and drainage problems at the Bella Centro detention pond.

Commissioner Crowley asked if it was in Mr. Miller's opinion that these modifications would solve the storm-water problem. Mr. Miller responded that he thought that all those involved with the mediated settlement would agree that this would address the concerns. He further elaborated that the engineers representing King's Pointe and Bella Centro have concurred that this was the best approach to fix the situation.

Mr. Miller expressed agreement with all staff recommendations and conditions of approval.

Mr. Shires stated that this item was brought before the Commission because the storm-water management plan for this development was being redesigned and reconstructed to the storm-water standard that was in place at the time the development was originally built, and not being rebuilt to today's specific design criteria. This was part of the negotiated settlement and agreed to by all affected parties that were involved with the mediation. Thus, staff was not able to address the issue through the administrative review and approval process. The City's engineering staff has reviewed the modifications and recommends approval.

Chairperson Costa asked if anyone from the audience would like to speak to this item.

Linda Robel, 9775 Linda's Lane, West Des Moines, discussed the water flow and commented that she thought this might have been land she previously owned. Mr. Shires pointed out the property location and that this property was much further south and west than her former property.

Chairperson Costa asked for continued discussion or a motion.

Moved by Commissioner Hatfield, seconded by Commissioner Crowley, the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Minor Modification to modify the storm water detention facilities based upon the design standards in place at the time when the Bella Centro development was first approved and constructed, subject to the applicant meeting all City Code requirements and the following:

1. Bella Centro maintaining the storm water detention facilities accordingly so as to provide adequate detention as outlined in the approved Storm Water Management Plan provided to the City; and
2. Bella Centro providing the City a certified as-built plan of the detention pond within 30 days of the completion of the minor modification or 120 days from the approval of this action, whichever comes first.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield.....Yes
Brown, CownieAbsent
Motion carried.

Item 5 – Staff Reports

The Commissioners were informed that the Annual Official Steak Fry would be held on June 4, 2013.

Item 6 – Adjournment

Chairperson Costa asked for a motion to adjourn the meeting.

Moved by Commissioner Crowley, seconded by Commissioner Andersen to adjourn the meeting.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield.....Yes
Brown, CownieAbsent
Motion carried.

The meeting adjourned at 5:50 p.m.

Chris Costa, Chairperson
Plan & Zoning Commission

Kimberly Taylor, Recording Secretary